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Dated: March 24, 2004

Signature: _____

(Jimmy Patterson)

Docket No.: 61683-00005USPT
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Ka-Yiu San et al.

Application No.: Not Yet Assigned

Confirmation No.:

Filed: Concurrently Herewith

Art Unit: N/A

For: INCREASED BACTERIAL ACETYL-COA
POOL

Examiner: Not Yet Assigned

DECLARATION PURSUANT TO 37 C.F.R. 1.821(f)


MS Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

I, Michael D. Berger, declare as follows:

1. That the content of the paper, compact disc and computer readable copies of the Sequence Listing, submitted in accordance with 37 C.F.R. 1.821(c) and (e), respectively, and PCT Rule 5.2, are the same in compliance with 37 C.F.R. 1.821(f).
2. That all statements made herein of my own knowledge are true and that all statements were made on information and belief and are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: March 24, 2004


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